



**HISTORIC LANDMARK COMMISSION MEETING MINUTES  
1<sup>st</sup> FLOOR, CITY COUNCIL CHAMBERS  
CITY HALL BUILDING, 300 N. CAMPBELL  
OCTOBER 21, 2013  
4:00 P.M.**

The El Paso Historic Landmark Commission held a public hearing in the City Council Chambers, 1<sup>st</sup> Floor, City Hall Building, October 21, 2013, 4:00 p.m.

The following commissioners were present:

Chairman David Berchermann  
Commissioner Beatriz Lucero  
Commissioner Cesar Gomez  
Commissioner Ricardo Fernandez  
Commissioner William C. Helm II

The following commissioners were not present:

Vice-Chairman Edgar Lopez  
Commissioner Randy Brock  
Commissioner John Moses

The following City staff members were present:

Ms. Providencia Velázquez, Historic Preservation Officer, City Development Department, Planning Division  
Ms. Kristen Hamilton, Assistant City Attorney, City Attorney's Office

Chairman Berchermann called the meeting to order at 4:15 p.m. quorum present.

**CHANGES TO THE AGENDA**

*None.*

**I. CALL TO THE PUBLIC – PUBLIC COMMENT**

*None.*

**Mayor**  
Oscar Leeser

**City Council**

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## II. REGULAR AGENDA – DISCUSSION AND ACTION

### Certificate of Appropriateness

1. **PHAP13-00023:** 2 Radford Terrace Lot 16 (6108.79 sq. ft.), City of El Paso, El Paso County, Texas
- Location: 4625 King Arthur Court
- Historic District: Austin Terrace
- Property Owner: Tracy Reyes
- Representative: Tracy Reyes
- Representative District: 2
- Existing Zoning: R-4/H (Residential/Historic)
- Year Built: 1997
- Historic Status: Non-contributing
- Request: Certificate of Appropriateness for the enclosure of the front porch at the main façade after-the-fact
- Application Filed: 09/09/13
- 45 Day Expiration: 10/24/13

Ms. Velázquez gave a presentation and noted the property owner sought approval for a Certificate of Appropriateness for the enclosure of the front porch at the main façade after-the-fact. Ms. Velázquez explained that this case was presented to commissioners at the September 23<sup>rd</sup> HLC meeting. At that time, commissioners requested the applicant and her representative meet with Ms. Velázquez to discuss the installation and type of door and window for the front porch enclosure in order to better resemble the façade and to appear before the Commission to review the proposed plans prior to the October 24<sup>th</sup> application expiration date. Ms. Velázquez noted that the applicant and her representative had submitted elevation plans and proposed door type for review.

### STAFF RECOMMENDATION

The Historic Preservation Office recommends ***DENIAL*** of the proposed scope of work based on the following recommendations:

*The Design Guidelines for El Paso's Historic Districts, Sites, and Properties recommend the following:*

**Mayor**  
Oscar Leeser

#### **City Council**

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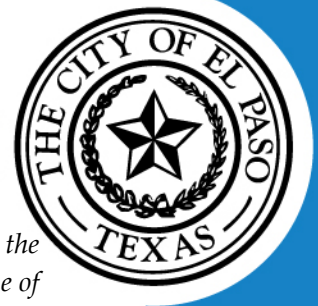
*District 5*  
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- Porches are functional as well as decorative features that help to define the overall character of a building. Many buildings feature porches, which are one of the most common architectural features. A porch and all of its architectural elements should be maintained and repaired.
- Doors and windows are considered important character-defining features because of significant detailing.
- Retain and preserve the pattern, arrangement, and dimensions of door and window openings on principal elevations. Often the placement of doors and windows is an indicator of a particular architectural style, and therefore contributes to the building's significance. Doors and windows for new construction and additions should be compatible in proportion, location, shape, pattern, size, and details to existing units.
- New construction should utilize doors and windows of compatible size, style, and material in an appropriate pattern so as not to detract from the historical significance of the existing building.

*The Secretary of the Interior's Standards for Rehabilitation recommend the following:*

- New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.

Chairman Berchelmann asked if anyone in the audience wished to comment on the proposed request. *There was no response.*

Chairman Berchelmann asked commissioners if they had any questions or comments for Ms. Velázquez, the applicant or her representative. Chairman Berchelmann added that the applicant and her representative complied with the commission's directive.

**MOTION:**

***Motion made by Chairman Berchelmann, seconded by Commissioner Lucero AND CARRIED TO APPROVE THE CERTIFICATE OF APPROPRIATENESS, WITH THE CHANGES AS SUBMITTED TO STAFF WITH THE WINDOW AND THE DOOR, FOR THE PROPERTY AT 4625 KING ARTHUR COURT.***

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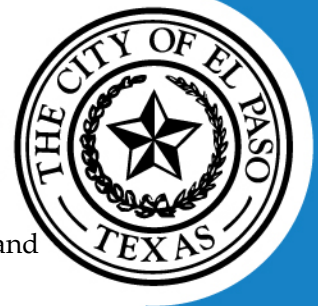
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**AYES:** Chairman Berchermann and Commissioners Lucero, Gomez, and Fernandez

**NAY:** Commissioner Helm

*Motion passed. (4-1)*

**2. PHAP13-00027:** 49 Ysleta Tr. 11 (6.0400 Ac), City of El Paso, El Paso County, Texas

Location: 9180 Socorro Road

Historic District: Mission Trail

Property Owner: Ysleta del Sur Pueblo

Representative: CEA Group

Representative District: 6

Existing Zoning: S-D/H (Special Development/Historic) and S-D (Special Development)

Year Built: N/A

Historic Status: Non-contributing

Request: Certificate of Appropriateness for construction of a memorial

Application Filed: 10/7/13

45 Day Expiration: 11/21/13

Ms. Velázquez gave a presentation and noted the property owner sought approval for a Certificate of Appropriateness for the construction of a memorial. She explained that the parcel itself was non-contributing. For commissioners, Ms. Velázquez pointed out that the boundaries of the Mission Trail Historic District consist of 150 feet from the center of Socorro Road, on either side.

#### **STAFF RECOMMENDATION**

The Historic Preservation Office recommends **APPROVAL** of the proposed scope of work based on the following recommendations:

*The Mission Trail Historic District Design Guidelines recommend the following:*

- *The height of new buildings should conform to the height of existing surrounding buildings. If a single story addition is being designed and proposed for a two-story structure, it should match the vertical and horizontal dimensions of other nearby or adjacent structures. Avoid overwhelming the original mass of existing structures with excess additions (heights). Excessive additions can detract from the architectural character of a building.*

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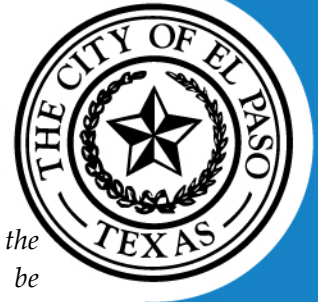
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#### **City Manager**

Joyce A. Wilson



- *Setbacks help to create a unified rhythm along a street. Maintain the predominant existing building line. Existing building lines should not be disturbed by new construction. New construction of structures should be flush with the existing building line, and parking space should be located to the rear of the building. All other yard requirements as specified in the zoning ordinance shall apply.*
- *New structures should respect the integrity of existing buildings. Existing historic structures and streetscapes need to be taken into consideration before designing new infill construction. Setbacks, proportion, rhythm, and building elements should all be addressed.*
- *When new landscaping is planned, it should be designed to complement the structure and the streetscape.*
- *Properly designed landscaping can set the tone for immediate and surrounding areas.*
- *Brick and stone pavers are available in a wide assortment of colors and patterns and can contribute to the overall enhancement of an area. Exposed stones and pebbles set in concrete are other possibilities to consider as well.*

*The Secretary of the Interior's Standards for Rehabilitation recommend the following:*

- *New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.*
- *New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.*

Chairman Berchelmann asked if anyone in the audience wished to comment on the proposed request. *There was no response.*

Chairman Berchelmann asked commissioners if they had any questions or comments for Ms. Velázquez.

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Commissioner Helm asked Ms. Velázquez if she was recommending any design changes.

Ms. Velázquez responded no.

**MOTION:**

*Motion made by Chairman Berchermann, seconded by Commissioner Helm AND UNANIMOUSLY CARRIED TO APPROVE THE CERTIFICATE OF APPROPRIATENESS FOR 9180 SOCORRO ROAD.*

- 3. PHAP13-00023:** 83 Government Hill 31 & 32 (8250 sq. ft.), City of El Paso, El Paso County, Texas
- Location: 4400 Leeds Avenue
- Historic District: Austin Terrace
- Property Owner: Maria De La Luz Moreno
- Representative: Tony Hernandez
- Representative District: 2
- Existing Zoning: R-4/H (Residential/Historic)
- Year Built: 1950
- Historic Status: Non-contributing
- Request: Certificate of Appropriateness for the construction of a rear yard addition
- Application Filed: 10/10/13
- 45 Day Expiration: 11/24/13

Ms. Velázquez gave a presentation and noted the property owner sought approval for a Certificate of Appropriateness for the construction of a rear yard addition. Ms. Velázquez explained the property is located at the northernmost point of the historic district, on a corner lot. The proposed new addition would be visible from the right-of-way.

**STAFF RECOMMENDATION**

The Historic Preservation Office recommends **APPROVAL** of the proposed scope of work based on the following recommendations:

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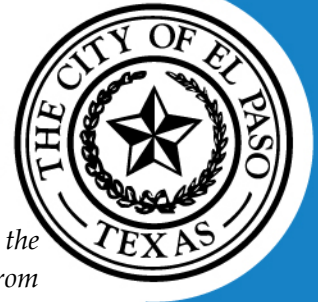
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- Any new addition should be planned so that it is constructed to the rear of the property or on a non-character defining elevation and is minimally visible from the public right of way.
- Introduce additions in locations that are not visible from the street-generally on rear elevations.
- Locate additions carefully so they do not damage or conceal significant building features or details.
- Design an addition so it is compatible in roof form, proportions, materials and details with the existing structure.
- Design new buildings and their features to be compatible in scale, materials, proportions and details with existing historic structures.
- Design an addition so that if removed in the future, the historic building's form and character defining features are not obscured, damaged, or destroyed.

*The Secretary of the Interior's Standards for Rehabilitation recommend the following:*

- New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.

Chairman Berchermann asked if anyone in the audience wished to comment on the proposed request. *There was no response.*

Chairman Berchermann asked commissioners if they had any questions or comments for Ms. Velázquez.

Commissioner Lucero asked to see the photo of the front of the house.

Chairman Berchermann asked to see the photos of the rear of the house.

Commissioner Helm wondered if the electric service would be relocated.

Ms. Velázquez was positive the contractor would relocate the electric service.

Chairman Berchermann questioned the number of windows proposed for the rear of the home.

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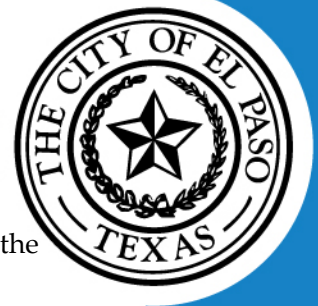
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Ms. Velázquez responded there were three proposed windows including the window on the side.

Chairman Berchermann confirmed the shingles would be asphalt to match the existing roof and the proposed windows would be sliders to differentiate the existing home from the new addition.

Ms. Velázquez concurred and added that, due to the visibility of the property, it would be very difficult to conceal anything.

Chairman Berchermann asked commissioners if they had any questions for the property owner or representative.

Commissioner Helm stated that the proposed plans are consistent with the house; furthermore, the house is not necessarily historic. He commented on maintaining the consistency of the roofline.

Chairman Berchermann commented on the concrete slab.

Mr. Tony Hernandez, contractor, representing the property owner, noted the addition would be ten feet with another ten feet for the rear porch, which will sit on top of the concrete slab. The electric service will be relocated to the side of the home, facing the next-door neighbor.

**MOTION:**

*Motion made by Commissioner Helm, seconded by Commissioner Gomez AND UNANIMOUSLY CARRIED TO APPROVE BASED ON STAFF'S RECOMMENDATIONS.*

4. **PHAP13-00029:** 19 Sunset Heights 16 & 17 (6000 sq. ft.), City of El Paso, El Paso County, Texas
- Location: 1431 Hawthorne Avenue
- Historic District: Sunset Heights
- Property Owner: Orestes and Carmen Moldes
- Representative: Ricardo Dominguez
- Representative District: 8
- Existing Zoning: R-4/H (Residential/Historic)
- Year Built: 1912
- Historic Status: Contributing

City Development Department – Economic Development Division

P.O. Box 1890 | El Paso, Texas 79950-1890 | (915) 541-4027

**Mayor**

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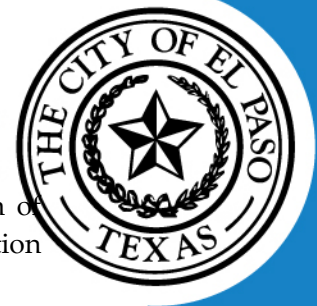
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Request: Certificate of Appropriateness for the alteration of front and rear façades and window installation after-the-fact, and painting

Application Filed: 10/14/13

45 Day Expiration: 11/28/13

Ms. Velázquez gave a presentation and noted the property owners sought approval for a Certificate of Appropriateness for the front and rear façades and window installation after-the-fact, and painting. The presentation showed photos of the home as it looked when staff conducted the last survey and current photos of the home. Ms. Velázquez expounded on each photo.

Ms. Velázquez noted the following alterations since the home was built in 1912:

1. The windows were changed;
2. The first floor was brick but has since been coated and painted over.

Ms. Velázquez visited the site and noticed that the first contractor hired was in the process of modifying the home without the proper permits. Ms. Velázquez immediately told this contractor to stop working. This contractor continued working on the home at which time Code Enforcement staff became involved.

Ms. Velázquez noted the following modifications:

1. The stucco on the second façade was being redone;
2. The masonry piers at the ground floor had been covered over with stucco; however, the rounded river rock was in place;
3. Painting was being done;
4. The rear façade had been altered and new windows had been installed.

Following the involvement of Code Enforcement staff, a second contractor, Mr. Ricardo Dominguez, was hired by the property owners. Mr. Dominguez is willing to repair the damage caused by the first contractor to include:

1. Repairing the stucco;
2. Removing and replacing windows and doors from the secondary façade.

**Mayor**  
Oscar Leeser

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Mr. Dominguez has proposed the following:

1. Install masonry on the piers (not an exact match). Mr. Dominguez does not think the stucco can be removed successfully removed or that the stone can be successfully cleaned;
2. Paint the façades – main body to be gray, trim to be a darker gray;
3. Keep the metal, sash windows (slightly different configuration).

#### **STAFF RECOMMENDATION**

The Historic Preservation Office recommends **APPROVAL WITH MODIFICATIONS\*** of the proposed scope of work based on the following recommendations:

*The Design Guidelines for El Paso's Historic Districts, Sites, and Properties recommend the following:*

- *If it is necessary to replace masonry, always use materials that match the color, size and texture of the masonry being replaced.*
- *Preserve the shape, size, materials, and details of character-defining chimneys and foundations and other masonry/stone features.*
- *When repainting, select paint colors that are compatible with the historic building and district. Enhance the features of a building through appropriate selection and placement of paint color consistent with its architectural style.*
- *Neutral tones and muted earth colors are strongly recommended for the main body of the structure. Trim color may be a darker or contrasting color than the body of the building.*
- *Replacement windows should match the type (such as double hung), style (for example six panes over six panes), and finish (paint).*
- *Installation of windows similar to the original in appearance and structural purpose, regardless of construction materials is permitted. Windows in secondary façades shall be reviewed on a case by case basis.*

*The Secretary of the Interior's Standards for Rehabilitation recommend the following:*

- *Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.*

**Mayor**  
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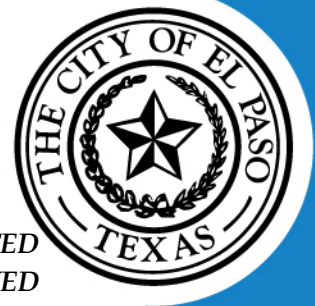
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***\*THE MODIFICATIONS ARE THAT A NEW PAINT COLOR BE SELECTED FOR THE BODY OF THE BUILDING; THAT THE STUCCO BE REMOVED FROM THE PIERS AND THE ORIGINAL STONE BE RESTORED; THAT THE WINDOWS HAVE THREE DIMENSIONAL APPLIED MUNTINS INSTALLED; AND THAT THE WOODEN WINDOW AND DOOR SURROUNDS INSTALLED ON THE REAR FAÇADE BE REMOVED.***

Chairman Berchelmann asked if anyone in the audience wished to comment on the proposed request. *There was no response.*

Chairman Berchelmann asked commissioners if they had any questions or comments for Ms. Velázquez.

Commissioner Gomez asked Ms. Velázquez if the front façade windows had already been replaced.

Ms. Velázquez responded yes, they had been replaced with metal windows prior to the survey picture and noted that the original windows were most likely sash windows and made of wood.

Ms. Velázquez added that, after taking a closer look, the front façade on the first floor was brick, which has since been coated and painted over.

Chairman Berchelmann asked Ms. Velázquez if she recommended applying muntins to some or all the windows.

Ms. Velázquez responded it is a recommendation; however, she was not opposed to suggestions or alternatives from commissioners. She added the windows on the side façades were not terribly visible.

Commissioner Helm clarified the windows on the street façade had not been replaced recently.

Ms. Velázquez agreed and reviewed photos of the home, before the alterations and current, for commissioners. She explained the different types and styles of windows, before and current, of the front and rear façades.

Commissioner Gomez asked Ms. Velázquez if the stone had recently been covered.

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Ms. Velázquez responded yes.

Chairman Berchermann asked Ms. Velázquez what color she would recommend for the body of the home.

Ms. Velázquez recommended that the property owners select a neutral color, something in keeping with the rest of the homes on the block. However, she would not recommend gray, for this case.

Chairman Berchermann asked if any additional construction had been scheduled for this property.

Ms. Velázquez replied no additional exterior construction had been scheduled.

Chairman Berchermann emphasized staff's recommendation that the stucco be removed from the piers and that the original stone be restored.

Ms. Velázquez clarified the masonry piers are considered *character-defining features* of the home.

Commissioner Helm noted this is a complicated case, most notably having to consider the case *after-the-fact*.

Chairman Berchermann commented on commissioners' purview and adherence to the guidelines.

Orestes and Carmen Moldes, property owners, and Mr. Ricardo Dominguez, contractor, were present.

Commissioner Helm asked Mr. Dominguez to provide commissioners an overview of his plans regarding this project.

Mr. Dominguez stated he was asked to:

1. Remove the stucco from the surface of the river rock.  
*However, in his opinion, removing the stucco from the river rock would weaken the existing cement/mortar, as most of the cement/mortar would come off with the stucco.*

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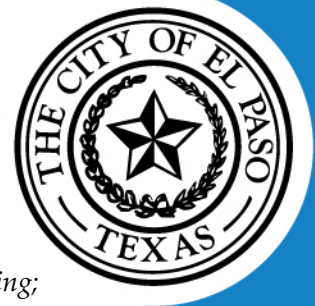
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2. Pop outs under the windows.

*Mr. Dominguez explained the pop outs under the two windows were existing; however, the previous contractor, not knowing what he was doing, modified all windows in the rear of the home to pop outs. Those modified rear pop out windows look horrific.*

Commissioner Helm asked Mr. Dominguez to provide commissioners an overview of his plans regarding the stone.

Mr. Dominguez proposed recapping the stone and adding the new stone to it.

Commissioner Helm asked Mr. Dominguez if he proposed covering the outside of the stone with another veneer, real or cultured stone.

Mr. Dominguez responded yes, real stone with mortar. Additionally, he found the most rustic looking stone he could find.

Commissioner Helm recommended removing the stucco and cleaning up the stone or, if that did not work, rebuilding the existing solid masonry. Commissioner Helm concurred with Mr. Dominguez' earlier comment, in that over time the historic masonry mortar would spall off. Commissioner Helm noted that by covering the historic masonry mortar with another veneer, both the historic masonry mortar and the veneer would spall off. To conclude, Commissioner Helm felt Mr. Dominguez' proposal, recapping the stone and adding the new stone, would not hold; additionally, the character and appearance of the columns would change.

Mr. Dominguez explained the process he would use to recap the existing stone and add the new stone. In his opinion, whatever was behind the new mortar would come off; furthermore, the existing stone would be difficult to clean. Trying to undo what the previous contractor did will be a huge undertaking.

Commissioner Helm asked Mr. Dominguez to provide commissioners an overview of his plans regarding the rear windows.

Mr. Dominguez proposed removing the 2' x 4' window surrounds around the windows, leaving the bottom portion of the pop out window, to match the front windows, basically a simulated sill.

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Commissioner Helm wondered if the previous contractor added the band around the home.

Mr. Dominguez responded no, the band was already there; however, the previous contractor did paint it a darker color. Mr. Dominguez added he would paint the band, trim, wood, soffit, fascia, the front porch, and the den portion trim a darker color; however, the walls of the home would be painted a lighter color, as recommended by Ms. Velázquez.

Chairman Berchermann asked to see the before and after photos of the rear of the home. He then asked Mr. Dominguez what he proposed to do with the rear of the home.

Mr. Dominguez responded he would level the stucco. Additionally, the back yard will be a separate project, in the future.

Commissioner Gomez asked to see the photo of the current, front façade. He wondered if more stucco was added to the porch wall brick.

Mr. Moldes responded yes, a colored stucco was added to the brick.

Chairman Berchermann asked the property owners if they were opposed to the staff recommendation regarding the stone; *that the stucco be removed from the piers and the original stone be restored.*

Mr. Moldes responded he would definitely try it and see how it looked first.

Chairman Berchermann asked Ms. Velázquez if there was a way to clean up the columns.

Ms. Velázquez explained the stucco will have to be physically removed from the stone; unfortunately, the stucco has adhered itself to the stone quite well. She suggested commissioners allow them to work on at least one column, see how far they get, how successful it is. If it does not look good, if it really detracts from the façade, *Ms. Velázquez suggested commissioners may want to recommend approving replacement stone, to be determined by staff.* She would then work with the contractor in the attempt to resemble the original columns, as closely as possible. Ms. Velázquez felt the proposed stone did not resemble the existing stone; it looks very squared and flat and the color is slightly different. The existing stone resembles river rock; very rounded, white in color and, as far as know, could have existed since 1912.

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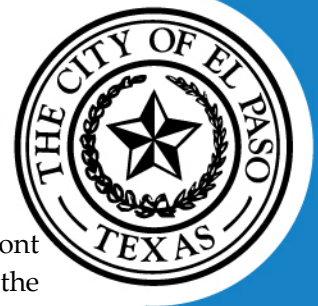
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Chairman Berchermann noted he has an abundance of river rock in his front yard. He concurred with Ms. Velázquez that it would be advantageous that the columns resemble the originals, as close as possible.

Chairman Berchermann asked if commissioners had any further comments and/or questions for Ms. Velázquez, Mr. Dominguez or the property owners.

Ms. Velázquez referred to the second floor stucco and noted the stucco had a slight texture; however, was unsure if it could be duplicated. She asked commissioners which type of stucco they preferred, textured or smooth.

Commissioner Helm asked if the texture of the stucco on the first floor was smooth.

Ms. Velázquez responded yes and clarified the exterior material for the first floor was brick, the second floor exterior material was siding, which both floors are now covered with stucco.

Mr. Dominguez noted the second floor exterior was siding; however, the previous contractor covered that siding with stucco and a synthetic material. He explained the synthetic material provided a smoother texture and added to the color.

Chairman Berchermann felt Mr. Dominguez could duplicate the first floor stucco texture to match the second floor. He explained that having the same stucco texture for both floors would be in keeping with what was there originally.

Ms. Velázquez agreed; however, duplicating the stucco texture exactly, might be difficult.

Chairman Berchermann recommended the stucco texture match, as closely as possible.

Commissioner Helm asked if the newly added stucco texture for the second floor was smooth.

Mr. Dominguez replied the newly added stucco texture was indescribable. The previous contractor had no idea what he was doing.

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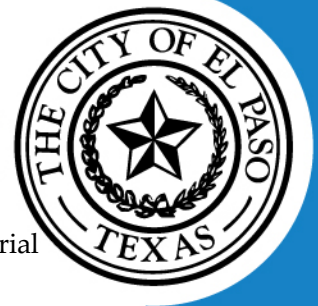
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Regarding the front façade, Commissioner Gomez clarified the exterior material was siding covered in stucco.

Mr. Dominguez agreed.

Commissioner Helm asked Mr. Dominguez what the exterior material was prior to the previous contractor.

Mr. Dominguez replied stucco, what you see there is stucco over siding.

Ms. Velázquez noted, at the time the home was constructed in 1912, most likely the exterior materials were siding on the second floor and unpainted brick on the first floor.

Commissioner Helm added, in that case, the stucco was not historic to the building because it was added.

Ms. Velázquez responded it is not clear what has been added at what time and that changes over time can acquire their own significance.

**MOTION:**

*Motion made by Chairman Berchermann TO APPROVE WITH THE MODIFICATION, HAVE THEM WORK ON A FULL COLUMN AND IF IT DOES NOT LOOK RIGHT, TAKES AWAY AND/OR DETRACTS FROM THE PROPERTY THEN HAVE THE CASE COME BACK AND COMMISSIONERS WILL RECOMMEND A TYPE OF STONE THAT WOULD WORK FOR THE PROPERTY.*

Commissioner Berchermann agreed.

Commissioner Gomez clarified the modifications would be the columns with the stones on them.

Chairman Berchermann responded in addition to the modifications as requested by Ms. Velázquez:

1. New paint color to be selected for the body of the building and to work with staff to find a color that works;
2. Wooden window and door surrounds installed on the rear façade be removed;

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3. Install windows with three dimensional applied muntins on the side of the home; and
4. *Added by Chairman Berchermann*, should the removal of the stucco from the piers be a distraction from the property, that it come back to staff and, if need be, come back to commissioners for further review and discussion.

Mr. Dominguez clarified first, he would repair the stucco all around the home, the existing stucco is wavy, not straight.

Commissioner Helm asked if he would remove the stucco first and then replace it.

Mr. Dominguez responded no, he would mesh first then level out the walls. Contingent upon discovering what lies underneath the stucco, the decision regarding the columns is unclear.

Regarding the columns, Chairman Berchermann agreed with Mr. Dominguez. He explained that commissioners would like to see how the column looked.

Regarding the first floor exterior, Commissioner Gomez noticed the outline of the brick was still visible through the stucco. He asked Mr. Dominguez if he was going to re-stucco the first floor.

Mr. Dominguez responded yes, he would be adding stucco to the entire exterior of the home.

Ms. Velázquez responded the first floor does not look like it was stucco'd over, it looks coated. She agreed with Commissioner Gomez, she would not recommend putting stucco on the first floor. She would recommend cleaning up the stucco and repainting. The second floor has been stucco'd over; however, that stucco will have to be redone as the previous contractor was stopped, mid-work. Additionally, Ms. Velázquez recommended that the stucco at the rear façade be redone.

Mr. Moldes clarified, except for the area underneath the window, the remainder of the first floor exterior has been stucco'd over.

Ms. Velázquez reiterated her previous recommendation, that no stucco be applied to the first floor, if it has not already been touched, leave it alone.

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Chairman Berchermann asked if staff had received any phone calls, letters or emails from the Sunset Heights Neighborhood Improvement Association.

Ms. Velázquez responded no.

Regarding the first floor stucco, Ms. Velázquez explained the previous contractor had partially stucco'd the first floor façade.

Mr. Moldes stated the previous contractor told him he had submitted for and was issued permit(s) for the project; however, Mr. Moldes did not verify the issuance of the permit(s) with city staff

Chairman Berchermann explained circumstances such as Mr. Moldes' do not influence and/or affect the decision(s) of the commission.

**DISCUSSION REGARDING  
BONDED, LICENSED, AND REGISTERED CONTRACTORS**

To minimize situations such as this, commissioners and staff discussed the possibility that the Historic Landmark Commission create a list of bonded, licensed, and registered contractors.

Prior to the discussion, Ms. Velázquez noted the City of El Paso prohibits city staff from recommending contractor(s) to applicant(s).

Mr. Dominguez noted the previous contractor was not a bonded, licensed, or registered contractor. Code Enforcement staff requested Mr. Dominguez notify them should he know the whereabouts of this person.

Ms. Hamilton provided legal advice.

To prevent the city's involvement, Commissioner Lucero suggested staff refer the applicant(s) to a non-profit organization that specializes in recommending/referring contractors.

As a non-profit organization, Mr. Hamilton suggested the El Paso County Historical Society.

*End of discussion.*

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Chairman Berchermann moved to approve with the modifications.

Regarding removal of the stucco and restoring the original stone column, Ms. Hamilton asked Chairman Berchermann what the condition(s) were that require the property owners/contractor to come back to the commission for further discussion and review.

Chairman Berchermann responded he was not opposed to Ms. Velázquez making the determination(s). He was unsure if property owners would have to submit another application for a Certificate of Appropriateness.

Ms. Hamilton suggested commissioners delegate the condition(s) requirement(s) to staff; additionally, commissioners should instruct staff what the condition(s) requirement(s) were.

***MOTION REVISED:***

***Motion made by Chairman Berchermann, seconded by Commissioner Lucero AND UNANIMOUSLY CARRIED TO APPROVE WITH THE MODIFICATIONS AS WRITTEN, AND THAT THE PROPERTY OWNERS REMOVE THE STUCCO FROM ONE OF THE PIERS SO COMMISSIONERS COULD GET AN IDEA OF HOW IT LOOKS WITH THE RIVER ROCK, AND SHOULD STAFF DETERMINE THE PIER DETRACTS FROM THE PROPERTY THAT THE PROPERTY OWNERS WORK WITH STAFF IN FINDING A SOLUTION THAT WOULD WORK WITH THE GUIDELINES AS WRITTEN.***

Commissioner Fernandez recommended the property owners/contractor use the new river rock instead of Franklin Mountain stone.

Chairman Berchermann explained commissioners would leave that determination to staff.

When repairing historic masonry Commissioner Helm recommended Mr. Dominguez use a product with a low cement content, as that would destroy the mortar.

**FOR THE RECORD**

Mr. Dominguez stated for the record that the City of El Paso has personally called him to restore three historic structures, coincidentally; the situations were very similar to this project.

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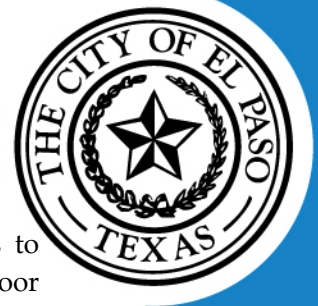
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Chairman Berchermann asked if Ms. Velázquez would like commissioners to include the condition regarding the cleaning up the first floor, as the first floor has been stucco'd.

Ms. Velázquez responded yes, if the first floor needs to be cleaned up and fixed, it should be fixed; unfortunately, it has been stucco'd.

**MOTION AMENDED:**

*Motion made by Chairman Berchermann, seconded by Commissioner Lucero AND UNANIMOUSLY CARRIED TO APPROVE WITH THE MODIFICATIONS AS WRITTEN, AND THAT THE PROPERTY OWNERS REMOVE THE STUCCO FROM ONE OF THE PIERS SO COMMISSIONERS COULD GET AN IDEA OF HOW IT LOOKS WITH THE RIVER ROCK, AND SHOULD STAFF DETERMINE THE PIER DETRACTS FROM THE PROPERTY THAT THE PROPERTY OWNERS WORK WITH STAFF IN FINDING A SOLUTION THAT WOULD WORK WITH THE GUIDELINES AS WRITTEN, AND IF THE FIRST FLOOR NEEDS TO BE FIXED AND CLEANED UP THEN HAVE THAT DONE AS WELL, AND WORK WITH STAFF TO FIND A COLOR FOR THE BUILDING THAT WOULD WORK.*

5. Addresses of property HLC commissioners have requested that HLC staff review or investigate and provide a report to the HLC. If no addresses are submitted in advance and listed under this agenda item, commissioners may announce such addresses under this agenda item. Discussion on property announced at this meeting will take place during the next regularly scheduled meeting. October 21, 2013 deadline for HLC members to request for agenda items to be scheduled for the November 4, 2013 meeting. November 4, 2013 deadline for HLC members to request for agenda items to be scheduled for the November 18, 2013 meeting.

Chairman Berchermann asked commissioners if they had any addresses they would like staff to review or investigate.

Commissioner Gomez asked Ms. Velázquez for information regarding a façade located next door to 211 N. Mesa Street, The Kress building.

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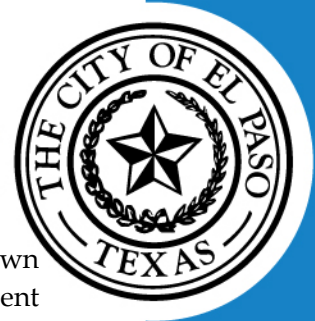
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She explained properties in the Downtown Historic District have their own set of guidelines; furthermore, it has been decided by the Legal Department of the City of El Paso that non-contributing properties did not have to comply with the guidelines. Unfortunately, this particular property was non-contributing; however, there are questions/concerns as to what is being done, exactly.

### **REGARDING THE CONSTRUCTION PROJECT**

At the time Ms. Velázquez received the application she very clearly explained to the architect that the façade could not be demolished in its entirety. However, selective demolition would be permitted in order to anchor the new façade onto the existing. The drawings submitted by the architect did reflect the recommendations as she proposed; however, recent site visits show otherwise. Code Enforcement staff will be notified that the contractor is not following the approved plans. Ms. Velázquez felt the end result would be the same, the structure would have the new façade which is in keeping with the guidelines. However, as a non-contributing property the project was not presented to commissioners.

Commissioner Helm asked Ms. Velázquez when the Downtown Historic District Guidelines were changed to reflect that non-contributing properties in the downtown district did not have to come before the commission. In the past, Commissioner Helm has applied for a Certificate of Appropriateness for new construction in the downtown district.

Ms. Velázquez explained the Downtown Historic District was designated in 1992. At that time, an ordinance was written whereby non-contributing properties did not have to comply with the guidelines. However, from 1992 to approximately 2012, that language was understood to mean that while non-contributing properties did not have to comply with the guidelines, necessarily, non-contributing properties *were not* exempt from applying for a Certificate of Appropriateness. In 2012, the Legal Department decided that non-contributing properties *were* exempt and did not have to comply, period, if there was something that was covered by the guidelines. Whether or not a property is contributing or non-contributing, Certificates of Demolition are not covered by the guidelines and, therefore, must be presented to the commission.

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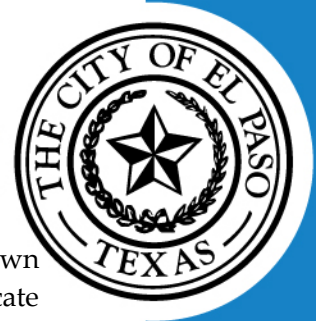
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Commissioner Helm asked Ms. Velázquez if, in the future, new downtown construction in the Downtown Historic District does not require a Certificate of Appropriateness.

Ms. Velázquez responded only if the property is non-contributing.

Chairman Berchermann noted that the San Jacinto Plaza remodeling project was the catalyst whereby it was determined that non-contributing properties in the Downtown Historic District did not have to comply with the guidelines.

Commissioner Helm clarified the reading of the ordinance was changed without HLC input.

Ms. Velázquez stated in 2012 the ordinance language had been re-interpreted.

Ms. Hamilton clarified Legal Department staff tried to amend the ordinance language; however, City Council did not approve it.

Ms. Velázquez agreed that the Legal Department staff did try to amend the code.

Commissioner Helm stated the ordinance language would not have had to be amended if the language had been interpreted one way for so many years, then suddenly the interpretation changed.

Commissioner Helm asked Ms. Velázquez if the property owner had applied for the permits; additionally, who the architect was for this project.

*Ms. Velázquez could not recall as it has been several months; however, she would research that information for the commissioner. To conclude, Ms. Velázquez stated she would refer the project to Code Enforcement staff. What is being done is not what was approved and not what was submitted for permits .*

#### **HLC Staff Report**

6. Update on Administrative Review Cases since the last HLC meeting for the properties listed on the attachment posted with this agenda.

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Chairman Berchermann asked commissioners if they had any comments and/or questions for staff.

***MOTION:***

*Motion made by Commissioner Lucero, seconded by Commissioner Fernandez AND UNANIMOUSLY CARRIED TO APPROVE THE ADMINISTRATIVE REVIEW STAFF REPORT.*

**Other Business**

7. Approval of Regular Meeting Minutes for October 7, 2013.

Chairman Berchermann asked commissioners if they had any additions/corrections/revisions.

***MOTION:***

*Motion made by Commissioner Lucero, seconded by Commissioner Gomez and UNANIMOUSLY CARRIED TO APPROVE THE REGULAR MEETING MINUTES FROM OCTOBER 7, 2013.*

***ABSTAIN:*** *Chairman Berchermann and Commissioner Fernandez*

***MOTION:***

*Motion made by Chairman Berchermann, seconded by Commissioner Helm AND UNANIMOUSLY CARRIED TO ADJOURN THE MEETING AT 5:22 P.M.*

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